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IP DEPARTMENT OF PIPER RUDNICK, LLP  
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In re Application of :  
Michael Lazdubski et al :  
Serial No.: 09/852,378 : PETITION DECISION  
Filed: May 10, 2001 :  
Attorney Docket No.: 1105-R-00 :

This is in response to the petition under 37 CFR 1.181, filed September 1, 2005, requesting withdrawal of abandonment based on a timely reply.

A review of the file history shows that a request to withdraw a holding of abandonment was filed on May 28, 2003, and was granted on September 24, 2003. Official Notice of the withdrawal of abandonment was also mailed to applicants on April 14, 2004. Through Office error the abandoned status of the application was not removed and no further action was taken on the application. Applicants filed a status inquiry on January 13, 2005 followed by this petition on September 1, 2005, seeking correction of Office records and further prosecution of the application. Following review of the file, the status was corrected to that of pending application and applicants have now received an Office action on the merits of the application mailed October 7, 2005.

For the reasons set forth the petition is **DISMISSED** as moot.

The application will be retained in current status awaiting applicants' reply to the outstanding Office action.

Should there be any questions about this decision please contact William R. Dixon, Jr., by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0519 or by facsimile sent to the general Office facsimile number, 571-273-8300.

  
George C. Elliott

Director, Technology Center 1600